

**MINUTES  
TOWNSHIP OF PENNSAUKEN  
TOWNSHIP COMMITTEE MEETING  
JULY 23, 2020**

The Committee Meeting of the Pennsauken Township Committee was held via electronic participation on Thursday, July 23<sup>rd</sup>, 2020.

The Meeting was called to order by Mayor Killion at 6:01pm. Mayor Killion gave time for the public to read how to ask questions and explained it verbally. He gave an update on the number of COVID cases within the Township which is now at 751 with a total number of deaths at 20. He reminded everyone the importance of wearing their mask.

Mayor Killion called for the Salute to the American Flag to be followed by a Moment of Silence.

The announcement of compliance of the "Senator Byron M. Baer Open Public Meetings Act" was read.

**CONSIDERATION OF/AND POSSIBLE ACTIONS ON ANY REQUEST FOR ELECTRONIC PARTICIPATION IN MEETING –**

Special request for electronic participation in the meeting due to current Covid-19 Pandemic.

Deputy Mayor DiBattista moved the motion to participate via ZOOM.  
Committeewoman Rafeh seconded the motion.  
An affirmative 5/0 voice vote was recorded.

The meeting commenced with a roll call by the Township Acting Clerk.

**PRESENT:** Committeeman Dyer, Committeewoman McBride, Committeewoman Rafeh, Deputy Mayor DiBattista and Mayor Killion.

Also present were Acting Administrator Palumbo, Acting Township Clerk Pamela Scott-Forman and Linda Galella, Esq. of Parker McCay.

**APPROVAL OF MINUTES-**

Mayor Killion tabled the minutes of July 9, 2020 for further review.

Deputy Mayor DiBattista moved a motion to approve the closed session minutes of June 4, 2020 and the meeting minutes of June 18, 2020.

Committeeman Dyer seconded the motion.  
An affirmative 5/0 voice vote was recorded.

**BIDS OPENED –**

Opened Tuesday, July 14, 2020 @ 10:30am –2020 NJDOT Municipal Aid Resurfacing of Camden Avenue-BP # 2020-04

Opened July 15, 2020 @10:30am-Remounting of two (2) Ambulances with existing boxes for EMS – BP# 2020-03

Committeewoman Rafeh moved a motion to acknowledge the opening of the BIDS on the agenda.

Deputy Mayor DiBattista seconded the motion.  
An affirmative 5/0 voice vote was recorded.

**RESOLUTION(s) (PUBLIC HEARING/PUBLIC MAY COMMENT) The Following Resolution(s) will be considered individually**

**2020:172**

A Resolution of The Township of Pennsauken, County of Camden, State of New Jersey Executing Refunds through Liens.

WHEREAS, Liens for property maintenance on specific properties were placed on properties not conforming to the Township maintenance code; and

WHEREAS, the properties located at 1757 Hillcrest Avenue, 4617 Remington Avenue, 1963 48th Street, 216 Curtis Avenue, 8434 Balfour Road, 5139 Frosthoffer Avenue, 8258 Corbett Avenue, 4305 Lario Way, 2217 Hollinshed Avenue, 7145 Park Avenue, and 5032 Washington Avenue were placed on the lien list in 2018 inadvertently; and

WHEREAS, after much research it has been determined the aforementioned properties should not have been on the list; and

WHEREAS, Township Committee wishes to rescind the following addresses from the listed resolutions of 2018:

1757 Hillcrest Ave.	Resolution 2018-314
4617 Remington Ave.	Resolution 2018-250
1963 48 <sup>th</sup> Street	Resolution 2018-194
216 Curtiss Ave.	Resolution 2018-281
8434 Balfour Rd.	Resolution 2018-294
5139 Frosthoffer Ave.	Resolution 2018-260
8258 Corbett Ave.	Resolution 2018-281 and 2018-314
4305 Lario Way	Resolution 2018-267 and 2018-336
2217 Hollinshed Ave.	Resolution 2019-303
7145 Park Ave.	Resolution 2018-260
5032 Washington Ave.	Resolution 2018-194

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden and State of New Jersey that the sum of \$250.00 per property representing the inappropriate 2018 liens should be removed from the following properties

1757 Hillcrest Ave.  
4617 Remington Ave.  
1963 48th Street  
216 Curtis Ave.  
8434 Balfour Rd.  
5139 Frosthoffer Ave.  
8258 Corbett Ave.  
4305 Lario Way  
2217 Hollinshed Ave  
7145 Park Ave.  
5032 Washington Ave  
8523 Herbert Ave.

A CERTIFIED COPY of this resolution will be forwarded by the Township Clerk to the following Departments: Tax Collector, Construction Official, Administrative Asst. Building & Housing and Supervisor of the Building Department.

Acting Administrator Palumbo commented these are property maintenance disputes of which liens should not have been placed.

**No public wished to comment.**

Committeewoman Rafeh moved the motion to adopt.  
Committeeman Dyer seconded the motion.

An affirmative 5/0 roll call vote was recorded.

*Motion carried.*

**2020:173**

Resolution of the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey Authorizing the Township Administrator and Clerk to Execute a Federal Aid Agreement with the New Jersey Department of Transportation (NJDOT) - Multi Use Trail - \$192,051.05

WHEREAS, the Federal Highway Administration (FHWA) authorized Transportation Alternatives Federal-Aid funding up to an amount of \$192,051.05, for the Pennsauken-Merchantville Multi-Use Trail; and

WHEREAS, this authorization was based on the scope of work and budget agreed upon by the Township of Pennsauken and the NJDOT Division of Local Aid; and

WHEREAS, the Township entered into a Professional Services Agreement with McCormick Taylor, Inc. for Preliminary Engineering, Final Design and Construction Engineering Services for this project; and

WHEREAS, McCormick Taylor, Inc. has completed the activities required for the Preliminary Engineering phase, and

WHEREAS, it is necessary for the Township to execute an Agreement Modification to the Federal Aid Agreement for the Final Design (FD) Activities and authorize McCormick Taylor to proceed to the Final Design phase; and

WHEREAS, work cannot proceed until this Agreement Modification is executed by NJDOT.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken that the Township Administrator and Clerk are authorized to execute the attached Federal Aid Agreement.

BE IT FURTHER RESOLVED that the Clerk is hereby directed to return four “(4) original signed and sealed copies of the attached agreement along with three (3) signed/sealed Resolutions for execution by the Department of Transportation.

Acting Administrator Palumbo explained this acknowledges the cost increase in the past 5 years for the portion of the multi trail at Cove Road.

Committeewoman McBride spoke of the increase of the design work and asked Mr. Martz if he could verify; which he did. She also commented on the historical study work per the State of New Jersey which also added to the increase. She stated the cost of the construction is \$750,000 but no work would take place until a signed agreement with NJ Transit took place.

**No public wished to comment.**

Committeewoman Rafeh moved a motion to adopt.

Committeeman Dyer seconded the motion.

An affirmative 5/0 roll call vote was recorded.

*Motion carried.*

**2020:174**

Resolution, Accepting, **Rejecting**, and Awarding BID for Remounting of two (2) Ambulances with existing boxes for EMS – BP# 2020-03 to Bay Head Investments, Inc. (\$226,685.20).

Acting Administrator Palumbo suggested Mayor and Committee not adopt the resolution due to the high bid and stated a certificate of available funds received from Mr. Crane, CFO.

**No public wished to comment.**

Deputy Mayor DiBattista moved a motion NOT to adopt resolution 2020:174.  
Committeewoman Rafeh seconded the motion.  
An affirmative 5/0 roll call vote was recorded to reject.  
*Motion carried.*

**2020:175**

Resolution, Accepting, Rejecting, and **Awarding** BID for 2020 NJDOT Municipal Aid Resurfacing of Camden Avenue-BP # 2020-04 to American Asphalt (Base Bid of \$333,366.45).

WHEREAS, bids were received and opened for the bid of Bid Packet No. 20-04 on July 14, 2020; and

WHEREAS, this project consists of the improvements of Camden Avenue, from Marlon Avenue to the dead end just past Sherman Avenue. In accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq, the contract should be awarded to the lowest responsible bidder; and

WHEREAS, the Township consulting engineer has reviewed the bids submitted and has recommended that American Asphalt Company, Inc., 116 Main Street, West Collingswood Heights, New Jersey 08059 which appears to be the lowest responsible bidder; and

WHEREAS, the Township Engineer recommends to the Township Committee that a contract be awarded to American Asphalt Company, Inc. in the amount of \$333,366.45, representing Items 1 through 31 of the Base Bid.

WHEREAS, funding for this project is being provided by the New Jersey Department of Transportation (NJDOT) and therefore award of this contract is subject to the approval of the NJDOT.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden and State of New Jersey that the Township hereby awards the contract for the FY' 2020 NJDOT Municipal Aid Resurfacing of Camden Avenue Pennsauken Township in the amount of \$333,366.45 for items 1 through 31 of the Base Bid.

BE IT FURTHER RESOLVED that the Township Administrator is hereby authorized to execute any and all documents necessary to effectuate the award of this contract.

**No public wished to comment.**

Committeeman Dyer moved a motion to adopt.  
Committeewoman Rafeh seconded the motion.  
An affirmative 5/0 roll call vote was recorded.  
*Motion carried.*

**2020:176**

Resolution Approving the Refund of \$5,500.00 for Duplicate Payment of VPR Fees for 3819 Caverow Avenue, Pennsauken, NJ 08110.

PNC Bank, 3232 Newmark Drive, Mail Stop B6-YM13-01-2. Miamisburg, OH 45342 made a deposit with the Township of Pennsauken in the amount of \$5,500.00 for the VPR fees for 3819 Caverow Avenue, Pennsauken, NJ 08110; and

WHEREAS, The Construction Official of the Township of Pennsauken is satisfied that a duplicate payment has been made and has approved same and that PNC Bank is entitled to a refund of \$5,500.00, and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the sum of \$5,500.00 is returned to PNC Bank, 3232 Newmark Drive, Mail Stop B6-YN13-01-2, Miamisburg, OH 45342.

A certified copy of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official, Finance Department and the Administrative Assistant of the Building Department.

Acting Administrator Palumbo explained this was to an overpayment from the bank.

**No public wished to comment.**

Deputy Mayor DiBattista moved a motion to adopt.  
Committeeman Dyer seconded the motion.  
An affirmative 5/0 roll call vote was recorded.  
*Motion carried.*

**2020:177**

Resolution of Township Committee granting permission for the Township of Pennsauken to participate in a collaborative effort with the County of Camden and Three (3) other Municipalities to apply for the Bureau of Justice Assistance's FY 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Total Grant Amount \$10,450.00

WHEREAS, it is the desire of the Township of Pennsauken to participate in the aforementioned program. This resolution is a request to the Township Committee for permission to apply and participate; and

BE IT RESOLVED that if permission is granted the funding will be utilized by the Pennsauken Police Department for equipment related to remote video monitoring of intersection of Route #130 and Marlton Pike. The exact amount of Pennsauken Township's portion of the grant is Ten Thousand Four Hundred Fifty Dollars and Zero Cents. (\$10,450.00).

BE IT FURTHER RESOLVED that the grant will be in collaboration with Camden County Police, Camden County Prosecutor, Camden County Sheriff, Camden City, and Lindenwold Borough.

NOW BE IT RESOLVED by the Township Committee of the Township of Pennsauken that permission is hereby granted to apply and participate in the aforementioned collaborative effort.

Mrs. Eillyn McMullen of Palace Court questioned if the Township had been successful obtaining this grant previously?

The reply was yes.

Committeewoman Rafeh moved a motion to adopt.  
Committeeman Dyer seconded the motion.  
An affirmative 5/0 roll call vote was recorded.  
*Motion carried.*

**RESOLUTION(s) (PUBLIC MAY COMMENT) The Following Resolution(s) will be considered by consent agenda – NONE**

**2020:178**

A Resolution Authorizing an Electronic Tax Sale.

**WHEREAS**, N.J.S.A. 54:5-19.1 Authorizes Electronic Tax sales pursuant to the rules and the regulations to be promulgated by the Director of the Division of Local Government Services; and

**WHEREAS**, The Director of the Division of Local Government Services has approved NJ Tax Lien Investors / REALAUCION.COM to conduct Electronic Tax Sales; and

**WHEREAS**, NJ Tax Lien Investors / REALAUCION.COM as of today is the only company to receive approval to conduct Electronic Tax Sales in the State of New Jersey; and

**WHEREAS**, the Township of Pennsauken Tax Collector wished to have an Electronic Tax Sale on September 16, 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, in the County of Camden, State of New Jersey that the Tax Collector is authorized to sign an agreement for services with NJ Tax Lien Investors / REALAUCION.COM to hold a Tax Sale on September 16, 2020.

**BE IT FURTHER RESOLVED**, that the Township Clerk is hereby directed to send a certified copy of this Resolution to the Tax Collector.

**2020:179**

A Resolution Authorizing the Tax Collector to substitute up to Two (2) mailings in Lieu of Advertisements for the Tax Sale at a cost not to exceed \$25.00 for each mailing.

**WHEREAS**, N.J.S.A. 54:5-19.1 Authorizes Electronic Tax Sales pursuant to the rules and regulations to be promulgated by the Director of Local Government Services; and

**WHEREAS**, the Township of Pennsauken must advertise for four (4) consecutive weeks for Tax Sale; and

**WHEREAS**, the Tax Collector may send Two (2) mailings in lieu of any Two (2) publications of the notice of Tax Sale;

**WHEREAS**, N.J.S.A. 54:5-26 states that the cost for the mailings is not to exceed \$25.00 (Twenty-Five Dollars) Per Tax Sale Notice which shall be added to the cost of the Tax Sale;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, County of Camden, and the State of New Jersey that the Tax Collector is Authorized to charge a \$25.00 fee for each set of the Two (2) Tax Sale notices mailed for a particular property for an upcoming Tax Sale.

**BE IT FURTHER RESOLVED**, that the Township Clerk is hereby directed to send a Certified copy of this Resolution to the Tax Collector.

**No public wished to comment.**

Deputy Mayor DiBattista moved a motion to adopt.  
Committeewoman Rafeh seconded the motion.  
An affirmative 5/0 roll call vote was recorded  
*Motion carried.*

**PAYMENT OF BILLS-**

**JUNE**

Budgeted	\$ 1,780,341.78
Statutory Expenditures	\$ 79,699.61
Section 8	\$ 47,418.79

Committeewoman Rafeh moved a motion to pay the Bills on the agenda.  
Committeeman Dyer seconded the motion.  
An affirmative 5/0 roll call vote was recorded.  
*Motion carried.*

## **PUBLIC COMMENT**

Ellyn McMullen of Palace Court reported on a scam where people are stating they are from the NJ Department of Health. She received a couple of phone calls and they are not associated with the Department of Health.

Mayor Killion thanked her for the information and requested Mr. Sinatra (Public Relations) place the information on all our social media outlets.

Mr. Kevin Roy of Delair Avenue questioned if and when someone would be by to clean the area below the Betsy Ross Bridge at the pump house. He commented it is directly across the street from his home. It is full of weeds, mosquitos and debris and should be tended to.

Mayor Killion asked Bill Lunemann to send someone the next day.

Mr. Roy also commented that there had been solicitor out knocking door-to-door during the pandemic.

Mayor Killion responded that would be a Police matter and they any solicitors within the Township are required to obtain a Solicitor License through the Clerk's office.

Lt. Henkel was asked to reply. He stated they should call the Police Department for assistance.

**No other public wished to comment.**

Deputy Mayor DiBattista moved a motion to close the floor to public comment.  
Committeewoman Rafeh seconded the motion.  
An affirmative 5/0 voice vote was recorded.  
*Motion carried.*

## **COMMITTEE COMMENTS**

Deputy Mayor DiBattista's comments were in reference to:

- Ms. McMullen and Mr. Roy for coming forward with their concerns.
- Thoughts and prayers of those families affected directly by the COVID virus.
- Township Departments continued service through these difficult times.

Committeewoman Rafeh's comments were in reference to :

- Best wishes to Deputy Clerk Matos for the birth of her baby girl.
- Prayers to the families of those who lost loved ones due to COVID.
- Meeting with the High School BLM organizers to continue the conversation and keep the movement moving forward.
- Library will be having a lemonade fundraiser in August to help raise funds for diversity books for the library.

Committeewoman McBride's comments were in reference to:

- The Census and its importance; The counting is not over. If the information is completed no one will come to your home.
- July 24<sup>th</sup> – 31<sup>st</sup> Big Census PUSH week at churches with help filling out the forms.
- August 11<sup>th</sup> the enumerators will begin canvassing the Township.

Committeeman Dyer's comments were in reference to

- First Tee Golf to come to Pennsauken Country Club; There will be safeguards in place.
- Condolences to the families who have lost loved ones due to COVID.
- Importance to be vigilant with safety precautions put in place.
- Continued conversation with students on Black Lives Matters with Committeewoman Rafeh.

Mayor Killion's comments were in reference to

- Trash still being problematic with a lot of problems this week; Committee going through the process required to get it straightened out.
- Thank you to Public Works and Joe Scavuzzo for picking up the slack where trash and recycles were not picked up.
- Stressed the need to continue to wear your mask and social distance.

**RESOLUTION (PUBLIC MAY COMMENT) The following Resolution will be considered individually –**

**2020:180**

Resolution Authorizing a Closed Session of the Township Committee of the Township of Pennsauken to discuss matters of Attorney Client Privilege - Contracts & Personnel.

**WHEREAS**, the Township Committee of the Township of Pennsauken is subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6- et. seq; and

**WHEREAS**, the Open Public Meetings Act of the State of New Jersey generally requires that all meetings of public bodies be open to the public; and

**WHEREAS**, the Open Public Meetings Act further provides that a public body may exclude the public from a portion of a meeting at which the public body discusses items enumerated in the Open Public Meetings Act at N.J.S.A. 10:4-12b, which items are recognized as requiring confidentiality; and

**WHEREAS**, it is necessary and appropriate for the Township Committee of the Township of Pennsauken to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12b.

**WHEREAS**, matters under discussion will not be disclosed until the need for confidentiality no longer exists; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, pursuant to the Open Public Meetings Act of the State of New Jersey that:

1. The Township Committee of the Township of Pennsauken shall hold a closed meeting from which the public shall be excluded, on July 21, 2020.
2. The general natures of the subjects to be discussed at said closed meeting shall be matters of pending/anticipated litigation and contract negotiation, Attorney Client Privilege N.J.S.A. 10:4-12b (7).

3. The general natures of the subjects to be discussed at said closed meeting shall .be matters of contract negotiation, N.J.S.A. 10:4-12b (7)

**ADOPTED** at the Meeting of the Township Committee of the Township of Pennsauken on July 21, 2020.

**No public wished to comment.**

Committeewoman Rafeh moved a motion to adopt.  
Committeeman Dyer seconded the motion.  
An affirmative 5/0 roll call vote was recorded.  
*Motion carried.*

Committee returned to adjourn at 7:48pm.

Committeeman Dyer moved a motion to adjourn.  
Committeewoman Rafeh seconded the motion.  
An affirmative 5/0 voice vote was recorded.  
*Motion carried.*

Meeting adjourned at 7:49pm.

Respectfully submitted,

Pamela Scott-Forman  
Acting Municipal Clerk

ADOPTED: August 6, 2020